

E-FILED

AO 91 (Rev. 5/85) - Criminal Complaint

United States District Court

FILED

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NORTHERN

DISTRICT OF

2007 SEP 27 11:10
CALIFORNIA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Mario SOLANO-Ocampo

07 70580

PVT

CASE NUMBER:

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, 8/24/2007, in Monterey County in the Northern District of California defendant(s)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

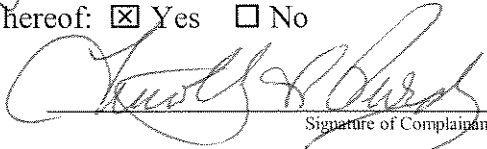
in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty years imprisonment and \$100.00 special assessment fee and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:


ASSISTANT UNITED STATES ATTORNEY
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

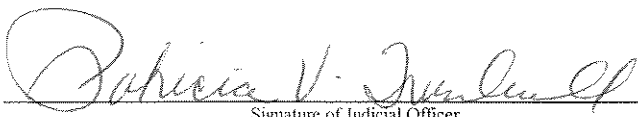
9/27/07
Date

at

San Jose, California

City and State

Patricia V. Trumbull
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer


Signature of Judicial Officer

RE: Mario SOLONO-Ocampo

A 77 187 421

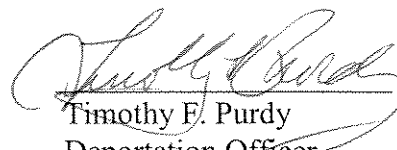
I, Timothy F. Purdy, am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE). I have been employed by this agency, U.S. Customs & Border Protection and the former Immigration and Naturalization Service (INS), since October 1, 2002. I am currently assigned to the Criminal Alien Program at the San Jose, California Sub-Office. In such capacity, I have reviewed the official immigration "A-File" relating to the above named defendant, which attests to the following:

- (1) The DEFENDANT Mario SOLONO-Ocampo (*AKA: Omar GARCIA*) is a 31 year-old single male whose date of birth is currently understood to be July 25, 1976. He is a citizen and native of Tijuana, Mexico as substantiated by a sworn statements made to that effect by the DEFENDANT during an interview that was initiated on August 24, 2007 at Soledad State Prison by ICE Immigration Enforcement Agent (IEA) Patrick Malate of the San Jose, California DRO Sub-Office;
- (2) The DEFENDANT has been assigned Alien Registration number of A 77 187 421, FBI number of 003332WA3, and California Criminal State ID Number of 10651823;
- (3) On December 16, 1996, the DEFENDANT was convicted in the Superior Court of California/County of Los Angeles, for the following felony offenses: INFLICTING CORPORAL INJURY ON A SPOUCE, in violation of California Penal Code Section 273.5(A) and FORCE/ADW NOT A FIREARM: GBI LIKELY, in violation of California Penal Code Section 245(A)(1), for which the DEFENDANT was sentenced to one year in prison. This offense is defined as an aggravated felony under Title 8, United States Code, Section 1101(a)(43)(F);
- (4) On February 27, 1998, the DEFENDANT was convicted in the Superior Court of California/County of Los Angeles {Central District}, for the following offense: GRAND THEFT FROM A PERSON, a felony, in violation of California Penal Code Section 487, for which the DEFENDANT was sentenced to two years in prison. This offense is defined as an aggravated felony under Title 8, United States Code, Section 1101(a)(43)(G);
- (5) On April 13, 1999, the DEFENDANT was determined to be unlawfully present in the United States by the ICE Deputy Director Bakersfield, California and ordered deported from the United States to Mexico;

RE: Mario SOLONO-Ocampo

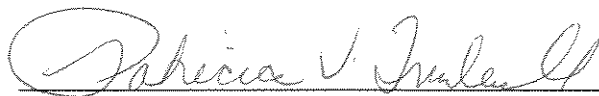
A 77 187 421

- (6) On May 13, 2003, the DEFENDANT was convicted in the Superior Court of California/County of Los Angeles {East District}, for the following offense: POSSESSION OF A CONTROLLED DESIGNATED SUBSTANCE {Cocaine}, a felony, in violation of California Health and Safety Code Section 11350(A) and was sentenced to two years in prison. This offense is defined as an aggravated felony under Title 8, United States Code, Section 1101(a)(43)(B);
- (7) On December 8, 2005, the DEFENDANT was convicted in the Superior Court of California/County of Los Angeles {East District}, for the following offense: BURGLARY IN THE SECOND DEGREE, a felony, in violation of California Penal Code Section 459 and was sentenced to two years and eight months in prison;
- (8) On, August 24, 2007, the Defendant was encountered by IEA Patrick Malate, at Soledad State Prison, and determined to be unlawfully present in the United States after a prior deportation. IEA Malate read the DEFENDANT of his **Miranda** rights in both the English and the Spanish language. The DEFENDANT waived his **Miranda** rights and provided a written sworn statement attesting to his alienage, prior deportation, and failure to obtain permission from the Secretary of the Department of Homeland Security or the United States Attorney General to reenter the United States;
- (9) The DEFENDANT'S official A-File does not contain any record or indication that he either requested or received permission from the Secretary of the Department of Homeland Security or the Attorney General of the United States to reenter the United States;
- (10) Based on the above stated information, this Officer believes there is sufficient probable cause that the Defendant is present within the United States in violation of Title 8, United States Code, Section 1326.



Timothy F. Purdy
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 27 day of September, 2007



Patricia V. Trumbull
UNITED STATES MAGISTRATE JUDGE